

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**SOUTHERN DIVISION**

**U.S.A. vs. Archie Lynn Strickland**

**Docket No. 7:01-CR-72-1H**

**Petition for Action on Supervised Release**

COMES NOW Thomas E. Sheppard, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Archie Lynn Strickland, who, upon an earlier plea of guilty to Distribution of at Least Five Grams of Cocaine Base (Crack) in violation of 21 U.S.C. §841(a)(1), was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on June 12, 2002, to the custody of the Bureau of Prisons for a term of 108 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall participate in a vocational training program as directed by the probation office.

Archie Lynn Strickland was released from custody on April 24, 2009, at which time the term of supervised release commenced. On January 25, 2010, the conditions of supervised release were modified to include a 2-day jail term and a DROPS condition at the second use level. The defendant served the 2-day term consecutive with a 5-day term as a DROPS sanction, completing the terms on June 24, 2010.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

Since the last report to the court, the defendant has been charged with Driving While Impaired in Robeson County and admitted that he operated a motor vehicle after consuming alcohol on April 11, 2010. Additionally, he missed two substance abuse treatment sessions, and failed to report to the probation officer as instructed on two occasions. Further, he submitted urine specimens on eleven occasions between January 4 and May 27, 2010, all of which tested positive for marijuana. The test results indicate the defendant has used marijuana on at least 5 occasions during that time span. We believe we can bring the defendant into compliance, and therefore recommend modifying the conditions of supervised release to include home confinement for 120 days and an alcohol abstinence condition. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall adhere to a curfew from 10:00 pm to 6:00 am, or as directed by the probation officer for a period not to exceed 120 consecutive days. The defendant is restricted to his residence during the curfew hours. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer.
2. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

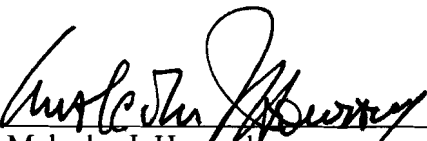
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton  
Robert L. Thornton  
Supervising U.S. Probation Officer

/s/ Thomas E. Sheppard  
Thomas E. Sheppard  
U.S. Probation Officer  
310 Dick Street  
Fayetteville, NC 28301-5730  
Phone: (910) 483-8613  
Executed On: July 9, 2010

**ORDER OF COURT**

Considered and ordered this 12<sup>th</sup> day of July, 2010, and ordered filed and made a part of the records in the above case.

  
Malcolm J. Howard  
Senior U.S. District Judge